MYSORE ACT No. XIV OF 1948

THE MYSORE TEMPLE ENTRY AUTHORISATION ACT, 1948.

(AS AMENDED BY ACT V OF 1949.)

(Received the assent of His Highness the Maharaja on the 7th day of February 1948.)

WHEREAS it is necessary that the disabilities imposed by custom and usage on certain classes of Hindus in respect of their entry into, and offering worship in, Hindu temples should be removed;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Temple Entry Authorisation Act, 1948.

(2) It extends to the [1][whole of the State of Mysore except Bellary District.]

(3) This section shall come into force at once; the remaining provisions of this Act shall also come into force at once in respect of temples which are now actually in the sole charge of the Government under the Mysore Religious and Charitable Institutions Act 1927. The Government may, by notification in the official Gazette, apply such provisions to any other temple or class of temples.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*a*) "excluded class" means any caste or class of the Hindu community which, by reason of any established custom or usage, is excluded from entering a temple or offering worship therein;

(*b*) "temple" means a place by whatever name known, dedicated to, or for the benefit of, or used as of right by, the Hindu community in general except the excluded classes, as a place of public religious worship (including subsidiary shrines and mantapams attached to such place);

1. Substituted by the Mysore Adaption of Laws Order 1953.

(*c*) "worship" means with reference to the temple concerned, such religious service as the bulk of worshippers may offer or participate in.

Right of excluded classes to enter and offer worship in certain temples.

3. (1) Notwithstanding any law, custom or usage to the contrary, persons belonging to the excluded classes shall be entitled to enter any temple and offer worship therein in the same manner and to the same extent as Hindus in general; and no member of any excluded class shall by reason only of such entry or worship, be deemed to have committed any actionable wrong or offence or be sued or prosecuted therefor.

(2) Without prejudice to the generality of the foregoing provision, it is hereby declared that the right conferred by sub-section (1) shall include the following rights if, and to the extent to which, they are enjoyed by Hindus in general, not belonging to the excluded classes,—

(*a*) the right to bathe in, or use the water of, any tank, well, spring or watercourse appurtenant to the temple whether situated within or outside the precincts thereof;

(*b*) the right of passage over any place including a hill or hillock or a road, street or pathway which is requisite for obtaining access to the temple.

Suits, prosecutions, etc., prohibited.

4. No suit for damages, injunction, or declaration or for any other relief, no prosecution for any offence, and no application or other proceeding under any law, shall be instituted in respect of any entry into or worship in any temple on the sole ground that such entry or worship is against the custom or usage which excludes certain classes of Hindus from such entry or worship.

Penalties.

5. Whoever—

(*a*) prevents a person belonging to any excluded class from exercising any right conferred by this Act, or

(*b*) molests or obstructs any such person in the exercise of any such right,

shall be punishable in the case of a first offence, with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence, with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both.

6. The Government may, by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Act in respect of temples generally or of any temple or class of temples. Power to make rule

[1][**7.** All offences punishable under this Act shall be cognizable.] Offences under Act to be cognizable.